

CERCLA Off-Site Rule (OSR) and the White Mesa Uranium Mill

October 10, 2012

Issue

- On September 20, 2012, an EJ conference call facilitated by the Office of the Administrator, Scott Clow of the Ute Mountain Ute raised EJ concerns with respect to OSR shipments to the White Mesa Uranium Mill.

Background

- White Mesa Uranium Mill is located 6 miles south of Blanding, UT; the Ute Mtn Ute reservation is located about 2 miles from the Mill
- White Mesa Mill uses a typical acid leach uranium recovery process. The Mill's feedstock can be either natural uranium ores or alternate feed (which can be CERCLA wastes that contain extractable uranium). The feedstock is crushed for size reduction. The feedstock is then placed in tanks containing an acid solution that dissolves the uranium. The uranium is then extracted from the acid phase into an organic solvent via a liquid-to-liquid extraction. The uranium oxide is then precipitated, centrifuged, and dried to the final yellow cake product. The remaining residual from the feedstock are placed in a tailing pond.
- White Mesa is regulated by UDEQ Division of Radiation Control and Division of Water Quality for the NRC requirements. EPA Region 8 has delegated to UDEQ Air Quality Division the National Emission Standards for Hazardous Air Pollutants (NESHAPS) authority.
- Three different contaminated groundwater plumes exist both on-site and off-site. These plumes are identified and differentiated by the three (3) selected trace elements: Chloroform, Nitrate, and Chloride.
- The chloroform plume is an old release that has been controlled by source control.
- The Mill maintains that it is not the source of the plumes which are tracked by excess nitrate and chloride concentrations found in groundwater.
- In 2007, the Tribe requested that R8 and USGS conduct an independent evaluation of potential offsite migration of radionuclides and selected trace elements associated with the facility
- May 9, 2011, UDEQ Division of Radiation Control issued a NOV to the Mill for failing to protect the waters of the state by having contaminants have exceeded their respective GWCL in Table 2 of the Mill's permit, and for failing to submit required reports.
- In February 2012, USGS issued its groundwater study report. USGS noted that the Entrance Spring may have been impacted by wind-blown ores.
- The Mill entered into a Stipulated Consent Agreement with UDEQ Division of Radiation Control on July 12, 2012, based on the citations raised in the May 2011 NOV.

CERCLA Off-Site Rule:

- The OSR is a statutory requirement imposed on EPA, States, private parties (PRPs), or other Federal Agencies. These entities must check with EPA prior to shipping CERCLA wastes to determine if a certain facility meets the OSR criteria.

- **b(5) Attorney-Client, b(5) Deliberative Process**
[Redacted]

OSR Shipments to the Mill:

- **b(5) Attorney-Client, b(5) Deliberative Process**
[Redacted]

Next Steps

- **b(5) Attorney-Client, b(5) Deliberative Process**
[Redacted]

LINK: <G:\OSR\White Mesa\New Bullets>